

December 23, 2011

## UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker  
Clerk of Court

## FOR THE TENTH CIRCUIT

BOB ALLEN CUSTARD,

Plaintiff - Appellant,

v.

No. 11-1558  
(D.C. No.1:11-CV-02839-LTB)

D. ALLRED; S. BELTER; ANTHONY (LT.); BOYER; R. BRANT; G. BREAM; BENJAMIN BRIESCHKE; CLEMENTI; J. COLLINS; MARK COLLINS; COOK; BLAKE DAVIS; T. EISCHEN; ANDREW FENLON; FOSTER; D. GREZAK; W. HAYGOOD, other, "Bill Haygood"; JANSEN, (sp); J. JOHNSON; DIANE KRIST; R. KRIST; LEE; LLOYD; ROXANNA MACK; RICHARD MADISON; MILUSNICK; MUNSON; T. MANSPEAKER; ALAN ORR; ANTHONY OSAGIE; PARISH; P. RANGEL; R. REESE; A. ROE; S. ROGERS; ROSENBECK; SARBY; SMITH; R. SMITH; CHRISTOPHER SUNSVOL, (SP); JENA SUDLOW; SZEMBORSKI; TORREZ (sic); VANAMAN; J. WISEMAN; E. ENGBRETSSEN (sic) unk. BOP/NCR Exec #1, unk. BOP/NCR Exec #2, unk operations Lieutenant, unk constitutional duty officer; T. MITCHELL; KELLAR (sp), M.D.; C. A. WILSON, M.D.; R. WILEY; BUREAU OF PRISONS,

Defendants - Appellees.

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ORDER

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This matter is before the court on appellant's "Withdrawal of Notice of Appeal," construed as a motion to dismiss. As construed, the motion is granted. The captioned appeal is dismissed pursuant to Fed. R. App. P. Rule 42(b).

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court

A handwritten signature in black ink, reading "Elisabeth A. Shumaker", with a long horizontal flourish extending to the right.

ELISABETH A. SHUMAKER, Clerk